
IN THE UNITED STATES PATENT & TRADEMARK OFFICE

<i>Applicant:</i>	Stevenson et al.	<i>Examiner:</i>	Sanders, Kriellion Antionette
<i>Serial #:</i>	10/709,578	<i>Art Unit:</i>	1714
<i>Filing Date:</i>	14 May 2004	<i>Date:</i>	21 September 2007
<i>Title:</i>	Phenol-Free Phosphites		

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER PRIOR PENDING PATENT APPLICATION(S)**

The owner, Dover Chemical Co. Inc., of one hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior applications/patents listed below.

Application Number	Filing Date	Publication Number
10/709,510	11 May 2004	US 2004/0183504 A1
10/086,619	01 March 2002	US 2003/0001136 A1

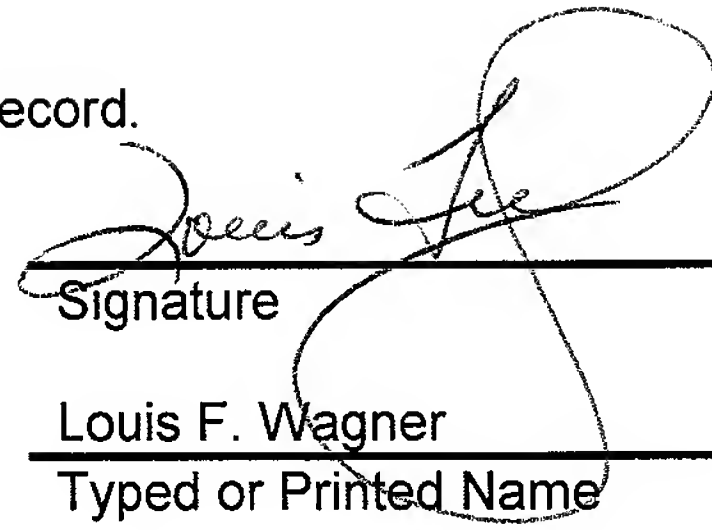
The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the Owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any disclaimer.

☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.) the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☒ The undersigned is an attorney or agent of record.



Signature
9/24/2007

Date
Louis F. Wagner

Typed or Printed Name

☒ Terminal disclaimer fee under 37 CFR 1.20(d) included (\$130.00).

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<i>Title:</i>	Phenol-Free Phosphites		

MAIL STOP AMENDMENT AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 C.F.R. §1.132 Declaration

This Declaration by inventor Dr. Donald R. Stevenson is submitted in accordance with 37 C.F.R. §1.132.

I, Dr. Donald R. Stevenson, declare as follows:

1. I am a co-inventor of the technology described in United States Published Patent Application US 2004/0183054 A1 assigned to Dover Chemical Corporation and titled "Phosphite Ester Additive Compositions", Serial No. 10/709,510, filed on 11 May 2004, which is a continuation-in-part of patent application Serial No. 10/086,619 filed on 01 March 2002, which claims priority upon the following provisional patent applications, namely: Provisional Patent Application Serial No. 60/315,746 filed on 29 August 2001, Provisional Patent Application Serial No. 60,314,181 filed on 16 August 2001; and Provisional Patent Application Serial No. 60/273,303 filed on 02 March 2001 (the "Prior Invention").
2. I am also a co-inventor of the technology described in United States Published Patent Application US 2004/0180999 A1 assigned to Dover Chemical Corporation and titled "Phenol-Free Phosphites", Serial No. 10/709,578, filed on 14 May 2004 (the "Instant Invention").
3. In responding to the pending office action, notably paragraph nos. 2, and 4-5 of the office action dated 05 April 2007, the Instant Invention was derived from my own previous work or work which I directed be undertaken under my direction, in the Prior Invention, and thus, is not the invention "by another."

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.



9/24/07

Dr. Donald R. Stevenson

Date